

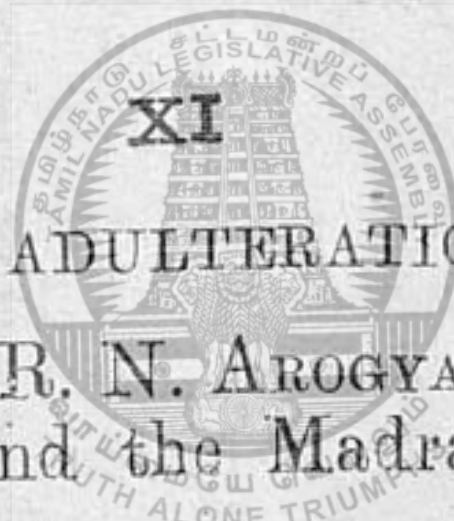
1st March 1927]

The hon. Sir C. P. RAMASWAMI AYYAR :—“ In answer to what has fallen from the hon. Member for Madras, I am sure he is aware that I waived my right to give evidence in camera and gave evidence in public before the Civil Justice Committee strongly condemning the practice adverted to by the hon. Member. I have never concealed my opinion and I gave it fairly strongly that I considered the system of new trial a mistake. (Mr. S. Satyamurti : ‘ Why not change it ? ’) As a matter of fact, there are 20 or 25 points which have to be changed with regard to the Small Cause Court. They are being considered. All I can say is that Government will endeavour to bring forward an amending Bill with regard to the Presidency Small Cause Courts and also I think a Bill with reference to the City Civil Court very shortly. That is all I can say so far as this Bill is concerned. The urgency for the Bill is patent from the fact that a number of suits are unnecessarily brought to the High Court which could otherwise be disposed of in the Civil Court.”

Mr. S. SATYAMURTI :—“ I ask whether this legislation adverted to by the hon. the Law Member will be introduced in the course of this year.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Yes, of course. Not this session.”

The motion was put and passed, and the Bill was passed into law.



THE MADRAS PREVENTION OF ADULTERATION ACT (AMENDMENT) BILL.

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ I beg leave to introduce a Bill to amend the Madras Prevention of Adulteration Act, 1918.

“ In doing so, Sir, I beg to make a few remarks explaining the necessity for this amending Bill. The original Act, The Madras Prevention of Adulteration Act, passed in 1918 has not been applied to any part of the Presidency for the reason that to begin with it was found that there were some defects in the original Act which would have to be remedied before we applied it to the Presidency. And secondly, section 20 of the Act necessitated the preparation of a standard of purity for the various classes of foodstuffs and till we have had a public analyst and till he had analysed and the standard has been prescribed, the Act could not be brought into force. A Public Analyst was appointed in 1924 and immediately he started work on the analysis of foodstuffs.

“ He analysed the various kinds of food-stuffs and prescribed various standards for various food-stuffs. He also pointed out the defects that existed in the original Act which had to be remedied before we could bring the Act into operation. The chief defects the amending Bill is intended to remedy are as follows . . . ”

4-30
p m.

Mr. G. HARISARVOTTAMA RAO :—“ I want to raise a point of order. Is a speech permitted at the stage of the introduction of a Bill ? ”

* The hon. the PRESIDENT :—“ This is not a case where leave to introduce a Bill is asked. This is a case where a Bill is introduced. In this case, a speech explaining the principles of the Bill may be made.”

Mr. G. HARISARVOTTAMA RAO :—“ I beg your pardon, Sir.”

[1st March 1927]

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ The amending Bill proposes to prevent the adulteration of certain articles of food. In the case of milk it proposes to prevent the sale of foremilk by defining milk in the following manner: ‘ Milk means the normal clean secretion obtained by milking the udder of a healthy cow or buffalo either completely or to completion after the first portion of the milk has been taken direct from the udder by a calf.’ It further proposes to prevent the sale of watered milk for the reason that in this country water-borne diseases such as cholera, etc., are due to watered milk. The original Act contains no provision for the prohibition of the sale of skimmed milk. It is known that the skimmed milk is not fit for consumption by babies. Another thing the amending Act proposes to prevent is the adding of colouring matter. It also proposes to amplify the provision in section 5 (2) of the original Act by including in it, storage of unfit articles for sale. The amending Bill has been prepared with a view to remedy the defects that were found in the original Act. As I have explained there have been a separate set of standards of food materials prepared and Government would take the necessary steps by means of executive action later on. I beg leave therefore to introduce this amending Bill.”

* The hon. Mr. A. RANGANATHA MUDALIYAR :—“ I second it.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not want to say anything except this. With reference to the definition of ‘ Milk ’ the amending Bill says: ‘ Milk means the normal clean secretion obtained by milking the udder of a healthy cow or buffalo either completely or to completion after the first portion of the milk has been taken direct from the udder by a calf.’ There are some cows and many buffaloes without calves and yet they are milked. They give large quantities of milk which is considered by doctors to be pure and fit for consumption. Is it the intention of my hon. Friend to prevent by this definition the milking of all such buffaloes and cows? ”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ Before the hon. Minister gets up to reply I wish to put one or two questions. I wish to know why goats are excluded. Is it because goats’ milk is supposed to be medicinal? Sir, donkeys also have been excluded. (Laughter). It is a well known fact that donkey milk is used as medicine in several cases. Why is it that these have been excluded? In clause 4 tea is included. These things may be explained if any decision has been come to with regard to them.”

Mr. S. MUTTAYYA MUDALIYAR :—“ Just on the lines mentioned by the previous speakers I should like to know what the hon. Minister means by saying in the definition to ‘ Milk ’, ‘ Milk ’ means the normal clean secretion obtained by milking the udder of a healthy cow or buffalo either completely or to completion after the first portion of the milk has been taken direct from the udder by a calf’. The practice as far as I know is to give the calf a little milk just before milking and serve more at the end. By saying ‘ milking to completion ’ does the hon. Minister mean that the milk shall not be given to the calf at the end? If that is so, it is cruel and a great hardship.”

* Mr. V. I. MUNISWAMI PILLAI :—“ As one coming from a district where tea is produced I have pleasure in supporting the introduction of this Bill. I wish to bring to the notice of the House that a certain amount of tea leaves taken from the pruned branches are sent to different places with the object of

1st March 1927] [Mr. V. I. Munuswami Pillai]

using them for dyeing. I cannot say whether they are sent for that purpose or to be consumed as tea for drinking. I think it is essential that tea is included."

The motion was put and carried.

The Secretary read the title of the Bill.

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I beg leave now to move that the Bill to amend the Madras Prevention of Adulteration Act, 1918, be referred to a Select Committee consisting of the following hon. Members :—

Mr. Abbas Ali Khan,
Mr. C. B. Cotterell,
Mrs. S. Muthulakshmi Reddi,
The Raja of Ramnad,
Mr. J. A. Saldanha,

Mr. Sami Venkatachalam Chetti,
Diwan Bahadur M. Krishnan Nayar,
Lieut.-Col. A. J. H. Russell,
Mr. H. Hawley and
The Mover."

* The hon. Mr. A. RANGANATHA MUDALIYAR :—" I second the motion."

Mr. P. BAKTHAVATSULU NAYUDU :—" Mr. President, if the number is not to be confined to ten only, may I have permission to propose the inclusion of the name of Dr. Mallayya from Madras ? "

Mr. SAMI VENKATACHALAM CHETTI :—" I thought there was an understanding—a sort of convention—that in proposing the names of members for Select Committees the leaders of parties should be consulted as to their composition. I am very much surprised that the hon. Minister has overlooked this convention."

* The hon. the PRESIDENT :—" I know that when the motion was received in the Council office the list of members of the Select Committee was not found. I then asked for it. Was the list circulated to the Members of the House ? " (Cries of ' No, No. ')

Mr. SAMI VENKATACHALAM CHETTI :—" I may submit, Sir, that I did not see the paper."

* The hon. the PRESIDENT :—" As the hon. Members had only short notice, I give permission to any Member to move amendments to this motion."

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I have no objection to include the name of Dr. Mallayya."

* Mr. S. SATYAMURTI :—" Sir, we are anxious to establish proper traditions in the matter. May I support the point raised by the Leader of the Opposition and appeal to the Minister to consult us on this side and somebody on the other side of the House and agree to a few names ? None of us is anxious to be in or out of the Committee. But the Select Committee should as far as possible represent the strength of parties in the House. I think it was agreed in your predecessor's time that it should be done in consultation with leaders of parties in the House, so that the names may be put through without discussion, instead of moving amendments and voting upon them which is in all cases an undesirable and inconvenient procedure."

Rao Sahib R. SRINIVASAN :—" I propose the name of Mr. V. I. Muniswami Pillai for inclusion in the list."

* The hon. the PRESIDENT :—" Is the hon. Minister agreeing to the names suggested ? "

[1st March 1927]

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I have no objection to the names suggested, viz., Dr. Mallayya, Mr. A. Kaleswara Rao, Mr. Syed Ibrahim Sahib and Mr. V. I. Muniswami Pillai."

* Diwan Bahadur M. KRISHNAN NAYAR :—" If my hon. Friend does not think that the number is too many, on behalf of my party may I request him to include the name of Mr. Durai Raja also in the list ? "

4-45
p.m.

* The hon. the PRESIDENT :—" The hon. Member may withdraw the names already mentioned and give a final list of members of the Select Committee."

* The hon. Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" This will be the final list. The Select Committee will be composed of the following hon. Members :—

Mr. Abbas Ali Khan,
Mr. C. B. Cotterell,
Mrs. S. Muthulakshmi Reddi,
The Raja of Ramnad,
Mr. J. A. Saldanha,
Mr. Sami Venkatachalam Chetti,
Diwan Bahadur M. Krishnan Nayar,
Lt.-Col. A. J. H. Russell,

Mr. H. Hawley,
Dr. B. S. Mallayya,
Mr. A. Kaleswara Rao,
Mr. D. K. Syed Ibrahim Sahib,
Mr. S. Dorai Raja,
Mr. V. I. Muniswami Pillai and
The hon. Minister for Public Health."

The motion that the Bill be referred to a Select Committee consisting of the members referred to above was put to the House and adopted.

* The hon. the PRESIDENT :—" Under Standing Order No. 40 (3), I appoint Dr. Muthulakshmi Reddi as the Chairman of the Committee."

XII
THE MADRAS HIGH COURT (JURISDICTIONAL LIMITS) BILL
(BILL No. 3 OF 1927).

The hon. Sir C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, this Bill is also a formal one which has to be enacted in consequence of the increase in the territorial limits of the Corporation of Madras on account of the new development schemes in Mambalam and certain other areas which have been included in the jurisdiction of the Corporation of Madras. Under the Letters Patent, the High Court shall have original civil jurisdiction within such limits as may be declared by any law made by the Governor in Council. The Letters Patent and the proclamation issued in connexion with the jurisdiction fixed a certain area for the jurisdiction of the High Court and that area is now sought to be extended. I therefore move that the Madras High Court (Jurisdictional Limits) Bill be read in Council."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I second it."

* Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, I wish to get some information from the hon. the Law Member. I do not want to oppose the measure; I only wish to clear some doubts regarding the Bill. The effect of the Bill will be to extend the territorial jurisdiction of the High Court over certain areas and as a consequence, the jurisdiction of the corresponding civil courts in the Chingleput district will be removed. There are some privileges and restrictions with regard to the appearance of pleaders in these courts and the High Court. For instance, the conditions that ought to be fulfilled before a pleader appears in the Original Side of the High Court are not always the same as those for appearing in the mufassal courts. I want to know how this Bill will affect the appearance of pleaders in these courts."